



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 2869, **Version:** 1

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### **Subject:**

Waiver of Subdivision Perimeter Buffer, Re: Ivey Cove (21WV00008) (District 1)  
Developer: Ivey Cove, LLC.

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning and Development

### **Requested Action:**

The Board is requested to consider the applicant's waiver request to Section 62-2883(d) that requires an undisturbed 15-foot perimeter buffer tract along all boundaries of a residential subdivision.

### **Summary Explanation and Background:**

Section 62-2883(d) requires that subdivisions provide a minimum 15-foot perimeter buffer, undisturbed along all property boundaries, platted as a common tract separate from individual lots. It is intended to provide screening between the boundaries of residential developments. This project is on the north side of Highway 520, approximately half a mile west of the intersection with Highway 524, and contains 104 home sites on 52 acres. The perimeter buffer tract is included, but may not remain undisturbed as required.

The applicant states that the unique size, shape, and topography of the site necessitate the waiver application. There is a County maintained canal to the west of the property, a County owned solid waste site to the north, and an existing horse ranch to the east. On the south side is Highway 520.

According to the subdivision plan, the 15-foot perimeter buffer tract has been provided for the entire subdivision. However, portions of the proposed buffer tracts are encumbered by existing FPL and utility easements which cannot be vacated. These easement areas may require future maintenance, and therefore would not remain undisturbed. There will also be drainage pipes and outfall culverts passing through some buffer tracts to allow offsite drainage to pass through this site to the canal. All of the applicable County agencies have reviewed the request and did not identify any issues should the waiver be granted. To accommodate landscaping requirements, tree preservation and plantings will only be in tracts where they will be protected.

Staff has not granted approval of waiver request 21WV00008, and pursuant to Section 62-3207 of the Code, requests that it be evaluated by the Board of County Commissioners. Board approval of this project does not relieve the developer from obtaining all other necessary jurisdictional permits.

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Reference: 21WV00008, 20SD00008

Contact: Amanda Elmore, Assistant Director, Ext. 58996